



**MINUTES  
OCONEE COUNTY COUNCIL  
Regular Meeting  
SEPTEMBER 11, 2007**

**MEMBERS, OCONEE COUNTY COUNCIL**

Mr. George Blanchard District I  
Mr. Thomas S. Crumpton, Jr., District II  
Mr. Mario Suarez, District III  
Mr. Marion E. Lyles, District IV, Chairman  
Mr. H. Frank Ables, Jr., District V

The Oconee County Council met Tuesday, September 11, 2007 at 7:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Dale K. Surrett, Elizabeth G. Hulse, Clerk to Council & Mr. Bradley A. Norton, County Attorney present.

**Press:**

Members of the press notified (via mail): Keowee Courier, Westminster News, Daily Journal, Anderson Independent, WGOG Radio, WYFF TV, WLOS TV, WSPA TV & WSNW Radio.

Members of the press present: Brett McLaughlin – Daily Journal, Dick Mangrum – WGOG Radio, Carlos Garza – Daily Journal & Ray Chandler - Anderson Independent.

**Other Organizations Notified:**

Also notified was the Oconee County Tax Payers Association.

**Call to Order:**

Chairman Lyles called the meeting to order at 7:00 p.m. noting the historical significance of the date and asked all those present to remember all of those who died in the twin towers, at the pentagon and in Pennsylvania.

**Pledge of Allegiance:**

Mr. Surrett led the pledge of allegiance to the US Flag.

**Minutes:**

Mr. Blanchard made a motion, seconded by Mr. Ables, approved 5 – 0 that the minutes of the regular meeting held August 21, 2007 be amended as printed.

Mr. Blanchard made a motion, seconded by Mr. Ables, approved 5 – 0 that the minutes from the Joint Meeting with the Sewer Commission meeting held on August 21, 2007 be adopted as printed.

## **Public Comment Session:**

Mr. Amedio Gallipoli addressed Council regarding the need to pave Pecan Grove Road. Chairman Lyles noted Mr. Gallipoli's concerns and requested he attend the upcoming Road & Transportation Committee which will meet on Tuesday, September 18, 2007 at 12:00 noon to address this issue.

Mr. Larry Linsin addressed Council regarding possible expansion of existing infrastructure.

Mr. Dave Bassett addressed Council regarding his concern that the County may act too quickly by entering into a contract with Jacaab to provide sewer to the I85 corridor.

Mr. Bo Horne addressed Council regarding his concerns about who will supply water along with sewer to potential customers at the Industrial Park.

Mr. Berry Nichols addressed Council regarding various issues to include suitability for a treatment plant at the Industrial Park. Mr. Nichols had previously provided Council with literature that he summarized regarding the makeup of the Building Board of Appeals, litter in Oconee County and other states ceasing offering incentives to draw businesses to their jurisdictions.

Mr. Bill Graham, a representative from Friends of Lake Keowee [FOLKS], addressed Council regarding support for Council in helping to save Stumphouse Tunnel and the surround property along with support for the proposed changes to the Unified Performance Standards.

Mr. George Cleveland addressed Council regarding sewer for I85 and unemployment in Oconee County.

Ms. Susie Cornelius addressed Council regarding fire service and proposed sewer on I85.

Mr. Paul Reckert addressed Council regarding the proposed sewer project and his concerns regarding the Jacaab contract.

Ms. Linda Lovely presented Council with a letter, dated September 11, 2007, from Michael D. Glenn, legal counsel for Advocates for Quality Development [AQD]. Ms. Lovely addressed Council regarding this letter and concerns regarding Ordinance 2007-17 "Vesting Rights".

Mr. B. J. Littleton addressed Council regarding his concerns about illegal immigration.

## **Items for Consideration by Council:**

### **2007-2008 Millage Recommendation for Oconee County**

Ms. Christy Tompkins, Chief Deputy Auditor, made a presentation / recommendation to Council regarding the millage for FY 2007-2008. Ms. Tompkins provided Council with a handout breaking out the County, school system and Tri-County Technical College millage along and a slide presentation representing current and proposed tax bills for both vehicles and property taxes.

Mr. Ables made a motion, seconded by Mr. Blanchard, approved 5 – 0 that Oconee County adopt the proposed millage for FY 2008-2008 for the County and School operating budgets in Oconee County.

### **Used Track Excavator for Rock Quarry, Bid #2007-05:**

Mr. Surrett addressed Council noting that on August 23, 2007 all formal sealed bids were opened. Neff Rental Inc. of Tampa Florida submitted the lowest bid of \$69,000. Mr. Surrett noted that staff had operated the machine and were satisfied that it would meet their needs; operating approximately 500 hours a year.

Mr. Blanchard made a motion, seconded by Mr. Crumpton, approved 5 – 0 to award Bid #2007-05 to Neff Rental Inc. of Tampa Florida, in the amount of \$69,000.

### **Prescription Drug Service for the Detention Center, Bid #2007-02:**

Mr. Surrett addressed Council noting that on July 26, 2007 all formal sealed bids were opened. IHS Pharmacy [Independent Health Services, Inc.] submitted the lowest bid based on a combination of dispensing fee, consultant pharmacist fee and sample pricing for ten commonly used medications.

Mr. Blanchard asked if bids had been received from local pharmacies. Ms. Marianne Dillard, Procurement Director, addressed Council noting that Procurement routinely solicits bids from local vendors and that she had personally delivered bid information to several local pharmacies. Ms. Dillard noted that in order to be fiscally responsible to the taxpayer's of Oconee County that her recommendation would be to contract with IHS provided medication services for inmates at the Detention Center.

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 5 – 0 to award Bid #2007-02 to IHS Pharmacy for prescription drug service at the Oconee County Detention Center.

### **ATAX Committee Funding Requests:**

Mr. Surrett suggested that Council review and approve all funding requests from the ATAX Committee in one vote. Mr. Blanchard noted that he had a conflict as his wife was involved with the "Tribute Show" and he would abstain on that item.

Mr. Blanchard made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve the following grants in one vote:

- ATAX grant to **Oconee Community Theatre** in the amount of \$13,760.00 for Billboard Advertising for the upcoming 2007-2008 Season
- ATAX grant to **Oconee Conservatory of Fine Arts** in the amount of \$6,000.00 for Radio/Newspaper Advertising for the regional Talent Explosion 2008
- ATAX grants to **Blue Ridge Arts Council** for advertising to communities outside Oconee County and with a regional Arts publication covering both North Carolina and South Carolina.:
  - \$1,370.00 for advertising (Postcards/Programs/Newspaper) the “Photography Show”
  - \$1,370.00 for Advertising (Postcards/Programs/Newspaper) the “Get the Lead Out” Show
  - \$1,370.00 for Advertising (Postcards/Programs/Newspaper) the “Fiber Fantasia” Show

Mr. Ables made a motion, seconded by Mr. Suarez, approved 4 – 0 [Mr. Blanchard abstaining] to approve the following ATAX grant:

- \$1,370.00 for advertising (Postcards/Programs/Newspaper) the “Tribute Show”

### **Draft Amendments to Unified Performance Standards:**

Mr. Art Holbrooks, Planning Director, addressed Council regarding proposed changes to the Unified Performance Standards. Mr. Holbrooks requested that the document be forwarded to the Planning & Economic Development Committee for further detailed review.

Mr. Lyles referred the Draft Amendments to the Unified Performance Standards be forwarded for review at the next meeting of the Planning & Economic Development Committee.

### **DNR Water Recreational Resources Fund**

Mr. Surrett addressed Council regarding Emergency Services request to purchase fire pumps using DNR funds. DNR will reimburse \$12,500 for purchasing fire pumps that will be installed on the county work boat. The pumps will allow water to be pumped from the lake for fire suppression in areas on the lake that are hard to reach with fire trucks.

Mr. Blanchard made a motion, seconded by Mr. Crumpton, approved 5 – 0 to allow Emergency Services to purchase the fires pumps using DNR funds.

### **Rock Quarry & Road Department request for approval to apply for the Palmetto Pride FY 2008 Tree Grant Donation Program:**

Mr. Surrett addressed Council requesting approval for the Rock Quarry & Road Department to apply for the Palmetto Pride FY 2008 Tree Grant Donation Program. He stated that the only cost to the County would be transportation to pick up the seedlings.

Mr. Blanchard asked if other departments such as PRT and the Heritage Center could apply also to beautify other areas of the County. Mr. Surrett stated any department wishing to apply could do so.

Mr. Blanchard made a motion, seconded by Mr. Suarez, approved 5 – 0 to allow the Rock Quarry & Road Department to apply for the Palmetto Pride FY 2008 Tree Grant Donation Program.

### **Smith Data Contract for Auditor, Treasurer & Delinquent Tax offices:**

Mr. Surrett addressed Council regarding the necessity to update software used by the Auditor, Treasurer and Delinquent Tax offices due to recently passed legislation. Smith Data Processing can provide the upgrade at a cost of \$37,050. Mr. Surrett recommended that the funds be transferred from Software Tax Center Account #012-711-82015-0000 to cover this cost.

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 5 – 0 to transfer \$37,050 from Software Tax Center Account #012-711-82015-0000 for a contract with Smith Data Processing for software to be used by the Auditor, Treasurer and Delinquent Tax offices.

### **Ordinance 2007-16:**

Mr. Ables made a motion, seconded by Mr. Blanchard, approved 5 – 0 that Ordinance 2007-16, “AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE COUNTY OF OCONEE, SOUTH CAROLINA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE” be adopted on first reading.

### **Ordinance 2007-17:**

Mr. Surrett noted that this ordinance was created to ensure that a clear process is put in place so that citizens have and understand what steps are required to move forward with their projects. Mr. Holbrooks also addressed council and recommended that this ordinance be forwarded to the Planning & Economic Development Committee for careful consideration and review.

Mr. Lyles referred Ordinance 2007-17 “OCONEE COUNTY VESTED RIGHTS ORDINANCE” be forwarded for review at the next meeting of the Planning & Economic Development Committee.

### **Council Committee Reports:**

#### **Real Estate, Facilities & Land Management:**

Mr. Lyles had no report at this meeting

#### **Road & Transportation:**

Mr. Crumpton had no report at this meeting. The next Road & Transportation meeting will be held Wednesday, September 18, 2007 at 12:00 noon in County Council Chambers.

**Law Enforcement, Public Safety, Health & Welfare Committee Report:**

Mr. Blanchard reported meeting with Mr. Surrett and Rodney Burdette regarding the job description for Firefighter Emergency Services.

Mr. Blanchard also announced a public Budget & Public Safety Workshop for Thursday, September 27, 2007 at 4:00 p.m. in Council Chambers for the purpose of discussing various issues to include millage and the Emergency Services Department.

**Budget, Finance & Administration:**

Mr. Ables had no report at this meeting.

**Planning & Economic Development:**

Mr. Suarez had no report at this meeting.

**Administrator Report:**

**Veteran's Memorial at Courthouse:**

Mr. Surrett introduced Mr. Jerry Dyar, Veteran's Affairs Director, who made a presentation to Council regarding the installation of two additional memorials [Blue Star & Combat Infantry Men] at Memorial Park at the Oconee County Courthouse. Mr. Dyar thanked Council for their continued support of his department.

Mr. Surrett thanked Mr. Dyar who after discussion has placed a wheelchair at the Administrator's entrance to Pine Street in an effort to better assist those citizens who might need assistance navigating the Administration offices.

**Citizen Feedback re: Road Department:**

Mr. Surrett read to Council a memorandum regarding a citizen's feedback. Mr. Jerry Durham wanted to express to the Administrator and Council his appreciation to the Road Department and Mr. Mack Kelly in particular. Mr. Durham stated that the County not only met but exceeded the resident's expectation.

Council commended Mr. Kelly and his department for their work.

**Old Business:**

**Prayer:**

Mr. Ables stated to Council that he is not comfortable with the moment of silence held at the beginning of each Council's meeting. Mr. Suarez noted that it was his motion that removed prayer and replaced it with a moment of silence.

Mr. Ables requested each Council member to consider this issue to be addressed again at a future meeting.

### **Walhalla Civic Auditorium ATAX Grant Request at August 21, 2007 meeting:**

Mr. Blanchard stated that he and other Council members received a letter from Ms. Maxie Duke, President Elect Walhalla Civic Auditorium, stating that Mr. Blanchard's comments were perceived as a personal attack against Ms. Duke. Mr. Blanchard stated emphatically that his comments were never intended to be critical of Ms. Duke; only the process. Mr. Blanchard stated he has great respect for Ms. Duke and the work she has done for the County and this organization over the years and that he hoped she would accept his apology.

### **RFP – Duke Energy Access Areas – Lake Keowee:**

Mr. Blanchard stated that Council received in their meeting packets information from Mr. Phil Shirley, PRT Director, regarding the status of an RFP for the Duke Energy Access Areas on Lake Keowee and questions that arose during the review process.

Mr. Blanchard stated to Mr. Shirley that he would contact him to resolve any outstanding issues and that this issue will be brought back to Council at a later date.

### **Moratorium regarding Planning and Zoning:**

Mr. Blanchard asked that an agenda item be listed for the September 18, 2007 County Council meeting regarding a possible moratorium.

### **Sewer Project Vote:**

Mr. Ables asked that an agenda item be listed for the September 18, 2007 County Council meeting to have a vote regarding the Goldie & Associates proposal for sewer along the I85 corridor. He noted that there has been inaction on the part of all parties to include Council, the municipalities and the Sewer Commission in the past.

Mr. Lyles directed County Administrator, Mr. Surrett, to meet with the County Attorney, Brad Norton, to work on ironing out some of the issues surrounding the sewer project.

### **New Business:**

#### **Emergency Services Commission Appointments:**

Mr. Blanchard polled each Council member for their appointment to the Emergency Services Commission.

Appointments are as follow:

#### **District I: Roger Garst**

Mr. Garst is a member of both District 11 & 17 Fire Departments and he is a retired Chief of Boiling Springs SC Fire Department.

Mr. Blanchard made a motion, seconded by Mr. Ables, approved 5 – 0 to appoint Mr. Garst to the Emergency Services Commission.

**District II:** To be announced on September 18, 2007

**District III: Jay Heatherington**

Mr. Heatherington is a former member of the CIA, a Clemson University professor and is a published author

Mr. Blanchard made a motion, seconded by Mr. Suarez, approved 5 – 0 to appoint Mr. Heatherington to the Emergency Services Commission.

**District IV: Nick Williams**

Mr. Williams is Chairman of the board of the Rescue Squad and he is a long term volunteer for the Fire Department.

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 5 – 0 to appoint Mr. Williams to the Emergency Services Commission.

**District V:** To be announced on September 18, 2007

**Adjourn:**

Mr. Lyles adjourned Council at 8:40 PM

Respectfully Submitted:

---

Elizabeth G. Hulse  
Clerk to Council





**MINUTES**  
**JOINT OCONEE COUNTY COUNCIL MEETING**  
**with OCONEE COUNTY SEWER COMMISSION &**  
**GOLDIE & ASSOCIATES**  
**September 11, 2007**

**MEMBERS, OCONEE COUNTY COUNCIL**

Mr. George Blanchard District I  
Mr. Thomas S. Crumpton, Jr., District II  
Mr. Mario Suarez, District III  
Mr. Marion E. Lyles, District IV, Chairman  
Mr. H. Frank Ables, Jr., District V

Oconee County Council met with members of the Oconee County Sewer Commission and Goldie & Associates on Tuesday, September 11, 2007 at 5:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Dale K. Surrett, Elizabeth G. Hulse, Clerk to Council & Mr. Bradley A. Norton, County Attorney present.

**Press:**

Members of the press notified (via mail): Keowee Courier, Westminster News, Daily Journal, Anderson Independent, WGOG Radio, WYFF TV, WLOS TV WSPA TV & WSNW Radio.

Member of the press present: Carlos Garza – Daily Journal, Ray Chandler – Anderson Independent and Brian Hester – Keowee Courier.

Members of Sewer Commission identified: Lowell Ross, Commission Attorney, Mr. Bob Winchester, General Superintendent OCSC, Mr. Ron Knoerr, and Mr. Bob Froneberger, Engineer with W. K. Dickson Engineering.

Members of Goldie & Associates identified: Mr. Steve Goldie and Mr. Paul Lewis.

**Call to Order:**

Chairman Lyles called the meeting to order at 5:00 pm noting that this meeting was designed to clear the air and to obtain additional information. Mr. Lyles noted that no decision would be forthcoming from this meeting regarding either group's proposal for sewer service along I85 in Oconee County.

Mr. Blanchard notified all present that he spoke at the Seneca Coffee Club earlier in the day regarding the proposed sewer development along the I85 corridor. He noted that response from those present was positive.

**Goldie & Associates Presentation to Council:**

Mr. Paul Lewis, Goldie & Associates, made a presentation outlining specifics for a treatment plant and force main system along the I85 corridor. Mr. Lewis utilized information from Mr. Goldie's letter, dated September 5, 2007, along with an aerial map showing the location of potential developers and the sewer line route. Mr. Lewis also provided a handout to Council outlining technical details and cost factors. [all documents noted included with minutes]

At this time Chairman Lyles opened the floor for questions/comments with the proviso that all questions/comments be formatted in a professional and courteous manner.

Various citizens [none identified for the minutes] questioned Mr. Lewis, Mr. Goldie and various Council members regarding specifics for this system and the company's financing structure for this proposal.

**Oconee County Sewer Commission Presentation to Council:**

Mr. Bob Winchester, Oconee County Sewer Commission, made a short statement and provided Council with a letter, dated September 11, 2007, outlining Sewer Commission assumptions and proposed operating costs. [letter included with minutes]

Mr. Winchester introduced Mr. Bob Froneberger, Engineer with W. K. Dickson Engineering, who distributed a written proposal along with a brief presentation to Council outlining the Sewer Commissions proposal for building a sewer system along the I85 corridor. [proposal included with minutes] Mr. Froneberger noted that the cost estimates provided were likely on the high side.

Again, Chairman Lyles opened the floor for questions/comments with the proviso that all questions/comments be formatted in a professional and courteous manner.

Various citizens [none identified for the minutes] questioned Mr. Froneberger, Mr. Winchester along with Mr. Lewis, Mr. Goldie and various Council members regarding specifics for this system in relation to the proposal made by Goldie & Associates. Mr. Lowell Ross, attorney for the Sewer Commission, addressed concerns of how a private utility will function in relation to the existing SWAG agreement between the municipalities and the County.

It was noted during the discussion that Goldie & Associates required a response from County Council by September 11, 2007, and that it is their intention to proceed with the project with or without the County's participation.

**Adjourn:**

Chairman Lyles adjourned the meeting at 6:30 PM.

Respectfully Submitted:

---

Elizabeth G. Hulse  
Clerk to Council